

Exhibit A

SULLIVAN, WARD, ASHER & PATTON, P.C.

ATTORNEYS AND COUNSELORS AT LAW



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March 3, 2015

VIA CERTIFIED MAIL

American Environmental Consultants, LLC
12838 Gavel
Detroit, MI 48227

Re: Operating Engineers Local 324 Fringe Benefit Funds
v. American Excavating Contractors, LLC and Manuel Rodgers
Case No. 14-cv-12047

Dear Sir/Madam:

Enclosed please a Periodic Writ of Garnishment, Garnishee Disclosure form, and a \$6.00 disclosure fee check with regard to the above-captioned matter. Pursuant to statute, within seven (7) days of receipt of these documents you are required to provide the Defendant with a copy of the Garnishment. Further, within fourteen (14) days after service of same, you are required to file the Disclosure with the Court, and provide a copy to the undersigned.

If you have any questions or concerns please contact our office at the number as appears above. Thank you for your assistance in this regard.

Very truly yours,

SULLIVAN, WARD,
ASHER & PATTON, P.C.

David J. Selwocki

DJS/br

Enclosures

W1606569/A56-117351

Sullivan, Ward, Asher & Patton, P.C., Attorneys and Counselors At Law
 25800 Northwestern Highway, 1000 Maccabees Center, Southfield, MI 48075-8412

DJS	AMERICAN ENVIRONMENTAL CONSULT	442474	3/3/2015	
Inv.Date	Inv.No.	Invoice Description		Amount
03-03-2015	DJS	A56-117351		6.00

\$6.00

Sullivan, Ward, Asher & Patton, P.C., Attorneys and Counselors At Law
 25800 Northwestern Highway, 1000 Maccabees Center, Southfield, MI 48075

9639	AMERICAN ENVIRONMENTAL CONSULTANTS, LL		442474	3/3/2015	
G/L Acct.	Matter I.D.	Cost Code	Inv.No.	Inv.Date	Debit Desc
2000-00000	A56-117351	GARNISHMENT FEE	DJS	03-03-2015	RE: AMERICAN EXCAVATING
					6.00

\$6.00

Approved, SCAG

Original - Garnishee (Part 1)
1st copy - Defendant (Part 2)
2nd copy - Return (proof of service) (Part 2)3rd copy - Plaintiff/Attorney (proof) (Part 2)
4th copy - Court (Part 2)• STATE OF MICHIGAN
U.S.D.C. JUDICIAL DISTRICT
E.D. MI JUDICIAL CIRCUITREQUEST AND WRIT FOR GARNISHMENT
(PERIODIC)• CASE NO.
14-cv-12047Court address
231 W. Lafayette Blvd., Detroit, MI• Zip Code
48226Court telephone no.
313-234-5005

Plaintiff name and address (judgment creditor)

• TRUSTEES OF THE OPERATING ENGINEERS
LOCAL 324 FRINGE BENEFIT FUNDS

Plaintiff's attorney, bar no., and address

• David J. Selwocki P51375
• Sullivan, Ward, Asher & Patton, P.C.
• 25800 Northwestern Hwy., Suite 1000
• Southfield, MI 48075
• Telephone no.
248-746-0700

Defendant name and address (judgment debtor)

• MANUEL RODGERS
12838 Gavel
Detroit, MI 48227

Social security no.

Employee ID or account no.

Garnishee name and address

• AMERICAN ENVIRONMENTAL CONSULTANTS, LLC
12838 Gavel
Detroit, MI 48227

FEB 27 2015

REQUEST See instructions for item 2 on other side.

1. Plaintiff received judgment against defendant for \$ 85,156.08 on January 12, 2015
2. The total amount of judgment interest accrued to date is \$. The total amount of postjudgment costs accrued to date is \$. The total amount of postjudgment payments made and credits to date is \$. The amount of the unsatisfied judgment now due (including interest and costs) is \$ 85,156.08
3. Plaintiff knows or with good reason believes that the garnishee is indebted to or possesses or controls property belonging to defendant.
4. Plaintiff requests a writ of periodic garnishment.

I declare that the statements above are true to the best of my information, knowledge, and belief.

February 25, 2015

Date

Plaintiff/Agent/Attorney signature David J. Selwocki P51375

WRIT OF GARNISHMENT To be completed by the court. See other side for additional information and instructions.

TO THE PLAINTIFF: You must provide all copies of the disclosure form (MC 14), two copies of this writ, and a \$6.00 disclosure fee for serving on the garnishee. You are responsible for having these documents served on the garnishee within 91 days. **NOTE:** The social security number field is blacked out for security reasons on all parts except the garnishee copy.

TO THE DEFENDANT:

1. You have **14 days** after this writ is mailed or delivered to you to file objections with the court. If you do not take this action within this time, without further notice, periodic payments owed to you may be withheld for as long as 91 days after this writ is issued and paid directly to the plaintiff.

TO THE GARNISHEE:

1. Within **7 days** after you are served with this writ, you must deliver a copy of this writ to the defendant in person or mail a copy to his or her last-known address by first-class mail.
2. Within **14 days** after you are served with this writ, you must deliver or mail copies of your verified disclosure (form MC 14) to the court, plaintiff/attorney, and defendant. A default may be entered against you for failure to comply with this order.
3. Do not pay any obligations to the defendant unless allowed by statute or court rule.
4. If indebted, withholding must begin according to court rule (see Instructions on the Garnishee Disclosure form). Unless notified that an objection has been filed, **28 days** after you are served with this writ you must begin forwarding withheld payments.

You are ordered to make all payments withheld under this writ payable to:

☒ the plaintiff☐ the plaintiff's attorney☐ the courtand mail them to: ☐ the plaintiff.☒ the plaintiff's attorney.☐ the court.

5. This periodic garnishment is effective until: a) the amount withheld equals the amount of the unpaid judgment as stated in item 2 of the request; b) the expiration of 91 days after the issue date of this writ; or c) the amount withheld exceeds the remaining unpaid judgment as stated in item 2 of the request.
6. Within **14 days** after this writ expires, you must file a final statement of the total amount paid on this writ.

Date of issue

Expiration Date

Clerk of the Court/Deputy

PERIODIC GARNISHMENTS

Definitions

Periodic Garnishment - garnishment of periodic payments which include, but are not limited to, wages, salary, commissions, bonuses, and other income paid to the defendant during the period of the writ; land contract payments; rent; and other periodic debt or contract payments.

Additional Instructions for the Plaintiff:

You must provide information that will permit the garnishee to identify the defendant such as the defendant's address, social security number, employee identification number, etc.

Instructions for item 2:

If a civil judgment does not include judgment interest in the "total judgment" field, the interest amount reported in item 2 should be accrued from the date the complaint was filed.

If a civil judgment includes judgment interest in the "total judgment" field (as in the forms in use before the 5/07 revisions), the interest amount reported in item 2 should not include any postfiling interest already included in the judgment.

Additional Instructions for the Defendant:

1. This writ has been issued because there is a judgment against you that you have not paid. In order to collect on this judgment, income due to you may be garnished.
2. You may object to this garnishment if:
 - a. your income is exempt from garnishment by law,
 - b. you have a pending bankruptcy proceeding,
 - c. the maximum withheld exceeds the amount allowed by law,
 - d. you have an installment payment order,
 - e. you have paid the judgment in full,
 - f. the garnishment was not properly issued or is otherwise invalid.
3. Certain income is exempt from garnishment and the law gives you the right to claim this income as exempt to prevent it from being used to collect on this judgment. The following are examples of some types of income that are exempt from garnishment and the citations where each type may be found in the law. This is not intended as a complete list. You may want to contact your lawyer or legal aid agency for further assistance.

EXAMPLES OF INCOME EXEMPT FROM GARNISHMENT

The following are examples of some of the types of income that are exempt from garnishment and the citations where each type may be found in the law. Please note that this is not intended as a complete list. You may want to contact your lawyer or legal aid agency for further assistance.

- Individual Retirement Account (IRA) - [MCL 600.6023(1)(k)]
- Social Security Benefits - [42 USC, Section 407]
- Supplemental Security Income Benefits (SSI) - [42 USC, Section 1383(d)]
- Aid to Families with Dependent Children (AFDC) - [MCL 400.63]
- General Assistance Benefits (GA) - [MCL 400.63]
- Unemployment Compensation Benefits - [MCL 421.30]
- Veterans Assistance Benefits - [38 USC, Section 3101]
- Workers' Compensation Benefits - [MCL 418.821]
- The first \$500.00 on deposit in a savings and loan savings account - [MCL 491.628]
- Cash value or proceeds of life insurance or annuity, payable to the spouse or children of the insured - [MCL 500.2207(1)]
- Income benefits under the Michigan Civil Service Act - [MCL 38.40]
- Income benefits under the Michigan Retirement Act - [MCL 421.30]
- U.S. Civil Service Retirement Benefits - [5 USC, Section 8346]

Approved, SCAO

Original – Court
1st copy – Plaintiff2nd copy – Garnishee
3rd copy – Defendant**STATE OF MICHIGAN**U.S. Dist. Ct.
E.D. Mich.**JUDICIAL DISTRICT
JUDICIAL CIRCUIT****GARNISHEE DISCLOSURE****CASE NO.**

14-cv-12047

Court address

231 W. Lafayette Blvd., Detroit, MI 48226

Court telephone no.

313-234-5005

Plaintiff's name, address, and telephone no. (judgment creditor)
TRUSTEES OF THE OPERATING ENGINEERS LOCAL
324 FRINGE BENEFIT FUNDS

v

Defendant's name, address, and telephone no. (judgment debtor)
AMERICAN EXCAVATING CONTRACTORS, LLC and
MANUEL RODGERS
12838 Gavel
Detroit, MI 48227Plaintiff's attorney, bar no., address, and telephone no.
David J. Selwocki P51375 248-746-0700
Sullivan, Ward, Asher & Patton, P.C.
25800 Northwestern Hwy., Suite 1000
Southfield, MI 48075Garnishee name and address
American Environmental Consultants, LLC
12838 Gavel
Detroit, MI 48227**SEE INSTRUCTIONS ON OTHER SIDE**

1. This disclosure is for a writ of garnishment issued on 2/27/15 and received by garnishee on _____.
- ☐ a. The garnishee mailed or delivered a copy of the writ of garnishment to the defendant on _____.
- ☐ b. The garnishee was unable to mail or deliver a copy of the writ of garnishment to the defendant.

2. At the time of service of the writ:

Nonperiodic Garnishments

- ☐ a. The garnishee is not indebted to the defendant for any amount and does not possess or control the defendant's property, money, etc. Reason: _____
- ☐ b. The garnishee is indebted to the defendant for nonperiodic payments as follows: _____

Description of property, money, negotiable instruments, etc. under garnishee's control Type of account and account number, if applicable

The amount to be withheld is \$ _____ and does not exceed the amount stated in item 2 of the writ.

- ☐ c. Withholding is exempt because _____

Periodic Garnishments

State the exemption and legal authority

- ☐ d. The garnishee is not obligated to pay the defendant during the period of the writ.

Reason: ☐ not employed. ☐ other _____

- ☐ e. The garnishee is obligated to pay the defendant during the period of the writ.

Payments are for ☐ earnings. ☐ nonearnings _____

Specify nature of payment (see instructions on other side)

Payments are made ☐ weekly. ☐ biweekly. ☐ semimonthly. ☐ monthly. ☐ other: _____

frequency of payment

A higher priority writ/order ☐ is ☐ is not currently in effect. If a higher priority writ/order is in effect, complete the following.

Name of court that issued higher priority writ/order

Case number

Date issued

Date served

Withholding under this writ☐ will begin immediately if sufficient funds are available.☐ will not begin immediately because defendant is ☐ laid off. ☐ sick. ☐ on leave. ☐ other: _____

specify

I declare that the statements above are true to the best of my information, knowledge, and belief.

Date

Garnishee/Agent/Attorney signature

I certify that:

- on _____ I mailed or personally delivered the original of this disclosure to the court.
- on _____ I mailed or personally delivered a copy of this disclosure to the plaintiff/attorney.
- on _____ I mailed or personally delivered a copy of this disclosure to the defendant.

Date

Garnishee/Agent/Attorney signature

DO NOT include Your Payment With This Disclosure. See item 3 of the instructions for details.

GARNISHEE INSTRUCTIONS**Definitions:**

- Periodic payments include wages, earnings, commissions, land contract payments, rent, and other periodic debt or contract payments that are paid to the principal defendant on a periodic basis.
- Nonperiodic payments include bank accounts, other property, money, goods, chattels, credits, negotiable instruments or effects, or earnings in the form of bonuses that are not paid to the principal defendant on a periodic basis. The rest of these instructions do not apply to garnishment of property, which needs to be sold before it can be applied to the judgment.

Responsibility to Disclose:

Within 14 days after being served with the writ of garnishment you must deliver or mail copies of this completed disclosure to the court, plaintiff's attorney (or plaintiff, if no attorney), and defendant. No further disclosures are required.

Withholding Instructions:**1. Determine when funds should be withheld.**

- If item 2b is checked, funds or other property available at the time of service of the writ must be withheld from the defendant from the time of this disclosure.
- If item 2e is checked, funds must be withheld each time you are indebted to the defendant until the writ expires. Determine the date withholding will begin and end as follows.
 - For garnishees with weekly, biweekly, or semimonthly pay periods, withholding begins with the first full pay period after the writ was served and ends on the last day of the last full pay period before the writ expires.
 - For garnishees on a monthly pay period,
 - if the writ is served on the garnishee within the first 14 days of the pay period, withholding begins on the date the writ was served and continues until the writ expires.
 - if the writ is served on or after the 15th day of the pay period, withholding begins on the next full pay period after the writ was served and continues until the writ expires.

2. Priority Writs or Orders and Multiple Writs (for periodic garnishments only):

Garnishments with a higher priority than this garnishment of periodic payments are

- orders of bankruptcy court.
 - orders for past due federal or state taxes.
 - income withholding for support of any person.
 - other general garnishments served before this writ.
- If a higher priority writ/order is currently in effect and withholding is not applicable at this time, you must monitor the garnishment until (1) the higher priority writ expires, (2) the installment payment is set aside, (3) the defendant's wages are sufficient for both writs, or (4) other circumstances change, which make funds available. If this writ has not expired by then, withholding and payment should begin immediately. An amended disclosure is not necessary.
 - If a higher priority writ/order is served on you while this writ is in effect and there is not enough money available for both writs, you must suspend withholding under this writ and inform the plaintiff of that fact. Once the higher priority is paid off, the suspended writ becomes effective again if it has not already expired. No further payments can be withheld on this writ if it expires while a higher priority is in effect.
 - The plaintiff may not file another writ of garnishment of periodic payments for the same defendant, garnishee, and judgment while the existing writ is pending.

3. Determine the amount to be withheld. The amount withheld cannot exceed the amount of the balance of the judgment specified in item 2 of the request.

For periodic garnishment of earnings only, a calculation sheet (the last sheet of this multipart form) is provided to determine the amount to be withheld. You do not need to use this calculation sheet, but if you do, you are not required to file it with the court or provide it to the defendant and plaintiff. However, a record of payment calculations must be maintained and made available for review by the plaintiff, defendant, or court upon request.

Payment Instructions:

Determine when disclosed amounts may be released. Funds available under this writ of garnishment may not be released to the plaintiff or court until 28 days after you were served with the writ. After 28 days, funds must be paid as ordered in this writ unless otherwise notified by the court. **No further order to pay will be issued except for garnishments of property other than money.**

For periodic garnishments only. During the first 28 days, payments must be withheld but not paid. After the initial 28-day waiting period, if the court does not notify the garnishee otherwise, all previously withheld funds must be paid out and any future payments must be withheld and paid as they become due until the writ expires. Every time a periodic payment is withheld, the garnishee must provide the plaintiff, defendant (and the court if funds are deposited with the court) with the case name, case number, date of withholding, amount withheld, and the balance due on the writ.

Final Report Instructions:

A final report of withholding is required for periodic garnishments. Within 14 days after the writ expires or the garnishee is no longer obligated to make periodic payments, the garnishee must file with the court and mail to the plaintiff and defendant a final statement of the total amount paid on the writ. The statement must include the names of the parties, the case number, the total amount paid, and the balance on the writ. Form MC 48 can be used for this.

Post-Judgment Filings5:14-cv-12047-JCO-MJHOperating Engineers Local 324Pension Fund et al v. AmericanExcavating Contractors, LLC et al**CASE CLOSED on 08/28/2014**

CLOSED

U.S. District Court**Eastern District of Michigan****Notice of Electronic Filing**

The following transaction was entered by Selwocki, David on 2/25/2015 at 2:51 PM EST and filed on 2/25/2015

Case Name: Operating Engineers Local 324 Pension Fund et al v. American Excavating Contractors, LLC et al

Case Number: 5:14-cv-12047-JCO-MJH

Filer: Operating Engineers Local 324 Defined Contribution Plan
 Operating Engineers Local 324 Vacation and Holiday Fund
 Operating Engineers Local 324 Health Care Plan
 Operating Engineers Local 324 Pension Fund
 Operating Engineers Local 324 Retiree Benefit Fund
 Operating Engineers Local 324 Apprenticeship Fund

WARNING: CASE CLOSED on 08/28/2014

Document
Number: 34

Docket Text:

REQUEST by All Plaintiffs for issuance of periodic writ of garnishment as to Manuel Rodgers and garnishee American Environmental Consultants, LLC. (Selwocki, David)

No public notice (electronic or otherwise) sent because the entry is private

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1047317467 [Date=2/25/2015] [FileNumber=6720258-0]
] [4184c39a2538f4856476ce3809d81cb0b2d0d06004ca3d3fbfcd68849c694a07fc0
 e5c1c1ea896fd0969bfc8d8f308fdbcf615d2573ff74a6bb17203d4bb08b3]]

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

American Environmental
Consultants, LLC
12838 Gavel
Detroit MI 48227

2. Article Number

(Transfer from service label)

7014 0510 0000 8424 8279

PS Form 3811, July 2013

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Signature]*

- ☐ Agent
☐ Address

B. Received by (Printed Name)

C. Date of Delivery

- D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Certified Mail ☐ Priority Mail Express™
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee)

- ☐ Yes

U.S. Postal Service™

CERTIFIED MAIL™ RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com**OFFICIAL USE**

Postage

\$

Certified Fee

\$

Return Receipt Fee
(Endorsement Required)

\$

Restricted Delivery Fee
(Endorsement Required)

\$

Total Postage & Fees

\$

Sent To

American Environmental Consultants

Street, Apt. No.,

or PO Box No.

12838 Gavel

City, State, ZIP+4

Detroit MI 48227

PS Form 3800, August 2008

See Reverse for Instructions



7014 0510 0000 8424 8279